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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,614	02/27/2004	Qirfiraz Ahmed Siddiqui		6485

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EXAMINER	
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ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
10/22/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/788,614	SIDDIQUI, QIRFIRAZ AHMED	
	Examiner	Art Unit	
	KWASI KARIKARI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 August 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) *1-11 cancelled* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *12-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/21/2008 has been entered.

Response to Arguments

2. Applicant's arguments, filed on 08/21/2008 with respect to claims 12-26 in the remarks, have been considered but are moot in view of the new ground(s) of rejection necessitated by the new limitations added to claims. See the rejection below of claims 112-26 for relevant citations found in Rankin et al., (U.S. 6,879,838 B2), (hereinafter Rankin) in view of Hasebe et al., (U.S. 6,946,991) disclosing the newly added limitations.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 12-26 are rejected under U.S.C. 103(a) as being unpatentable over Rankin et al., (U.S. 6,879,838 B2), (hereinafter Rankin) in view of Hasebe et al., (U.S. 6,946,991), (hereinafter Hasebe).

Regarding claim 12, Ranking discloses a method of notifying a mobile device (= mobile device 100) of location-dependent timings (= location base information system that uses user location information and preference to push location information to the user, see col. 6, lines 28-65 and Fig. 4) the method comprising:

determining an estimated location of the mobile device, within a precision of a coverage area of at least one base station (= wireless base stations 140 in communication network 102, see col. 3, lines 36-42, 61-67 and Fig. 3) by employing a location technology algorithm (= once the mobile device 100 is determined to be within a defined area, the action may triggered, see col. 5, lines 27-40 and col. 6, lines 45-51; and the location determination system allows the device to determine its location either from the network or independently from the system, see col. 1, lines 54-64; col. 4, lines 12-16; and col. 7, line 55- col. 8, line 46);

comparing the estimated location of the mobile device to a translation table

stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device (= service/geographic location database could be copied into device 100, see col. 5, line 44- col.6, line 51), said translation table used to determine at least one time based on a function of at least the estimated location of the mobile device, the time of day as measured at the estimated location, and where the estimated location of the mobile device used to determine the at least one time is based on the coverage area of the at least one base station (140) and a current cell identification (Cell ID) parameter (=using time different arrival of a mobile signal at base station to triangulate position of device 100, see col. 4, lines 12-34) assigned to the mobile device (see col. 3, lines 33-48, col. 4, line 12- col. 5, line 12, col. 5, lines 27-67; and col. 6, lines 28-51); wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station (=using time different arrival of a mobile signal at base station to triangulate position of device 100, see col. 4, lines 12-34); and

translating the determined at least one time into a wireless communication message and forwarding the message to the mobile device (see col. 4, line 38- col. 5, line 12 and col. 6, lines 28-51).

Although Rankin teaches the push of several event information to the mobile device based on location and time information and user's preference information (see col. 4, line 38- col. 5, line 12 and col. 6, lines 28-51), Rankin fails specifically to mention a prayer times; the time of year as measured from prestored annual calendar position

corresponding to estimated location; and the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table".

Hasebe, however, teaches "prayer times; the time of year as measured from prestored annual calendar position corresponding to estimated location; and the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table".

(see below of col. 1, lines 37-63; col. 3, lines 28-50; col. 9, line 10- col. 10, line 37; and col. 11, lines 20-32).

[Relationships between regional locations and religious service times are described in the form of religious service time tables, which are stored in advance in the memory of the portable terminal or which can be downloaded from a specific server via networks. Religious service times are determined based on the position information and date information (e.g., calendar data)…

In step S20, the portable telephone detects the date and year as well as the present position thereof. That is, the present position is detected based on the position information from the GPS receiver 12...

CPU 1 designates the religious service time table, which is stored in the RAM 3. Specifically, the religious service timetable contains numerous tables with regard to specific positions and dates, so that one of these tables is appropriately selected and read out in response to the position information from the GPS receiver 12 and the date information of the calendar data…]

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to

combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Regarding claim 13, as recited in claim 12, Rankin further discloses the method, wherein the estimated location of the mobile device has a precision of the coverage area of at least two adjacent base stations (see col. 3, lines 36-42 and lines 61-67).

Regarding claim 14, as cited in claim 12, Rankin teaches the pushing of preference information to the communication device 100 based on location/time in the network 102 that includes base stations 140 (see col. 3, lines 36-42, lines 49-60; col. 4, line 38- col. 5, line 12; col. 6, lines 28-51); and Fig. 2). However, Rankin fails to teach an "**Azaan-neighborhood"** in the translation table to determine the at least one "**prayer time".**

However, Hasebe teaches a portable terminal that includes GPS; and the portable terminal associates location and time with prayer times and direction (see col. 1, lines 37-63; col. 3, lines 28-50 and col. 4, lines 6-45).

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by

Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Regarding claim 15, as recited in claim 12, Rankin fails specifically to teach the method, wherein the at least one prayer time is a Muslim prayer time.

Hasebe, however, teaches a portable terminal that includes GPS; and the portable terminal associates location and time with prayer times and direction. (see col. 1, lines 37-63; col. 3, lines 28-50 and col. 4, lines 6-45).

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Regarding claim 16, as recited in claim 12, Rankin further discloses the method, wherein the location technology algorithm calculates the location of the mobile device based on the Cell ID assigned to the mobile device (see col. 9, lines 1-10).

Regarding claim 17, as recited in claim 12, Rankin further discloses the method,

wherein the location technology algorithm calculates the location of the mobile device based one or more of the following location technologies: global positioning system (GPS), assisted global positioning system (AGPS), advanced forward link trilateration (AFLT), enhanced observed time difference (EOTD), lime difference of arrival (TDOA), angle of arrival (AOA) and enhanced forward link trilateration (EFLT) (= GPS system can involved in location determination function, see col. 4,lines 11-37).

Regarding claim 18, as recited in claim 12, Rankin further discloses the method, wherein the wireless communications operate over one or more of the following wireless communications protocols: advanced mobile phone service (AMPS), global system for mobile communication (GSM), time division multiple access (TDMA), frequency division multiple access (FDMA), code division multiple access (CMDA), general packet radio service (GPRS), universal mobile telecommunications system (UMTS) and integrated digital enhanced network (/DEN') (= network 102 may be packet switch or circuit switch network, e.g. PSTN, see col. 6. lines 13-27).

Regarding claim 19, as recited and modified in claim 12, as Rankin further discloses the method, wherein the time is transmitted to the mobile device via a push protocol (see col. col. 4, line 61- col. 5, line 15)

Regarding claim 20, as recited in claim 12, Rankin further discloses the method, wherein the method further comprises: monitoring subscriber information of a plurality of

subscribers stored in a database and determining if each subscriber is currently connected to the subscriber network and updating the current Cell ID and location information of the subscriber and determining least one additional time based on the updated Cell ID and location information (see col. 4, lines 12-67).

Regarding claim 21, as recited in claim 12, Rankin further discloses the method, wherein the wireless communication message is at least one of a text message, a tone indicator and a media file (see col. 4, lines 6-11 and col. 6, lines 28-51).

Regarding claim 22, Rankin a method of notifying a mobile device (= mobile device 100) of location-dependent timings (= location base information system that uses user location information and preference to push location information to the user, see col. 6, lines 28-65 and Fig. 4), the method comprising:

determining an estimated location of the mobile device within a precision of a coverage area of at least one predetermined stored in a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device, said translation table used to map the coverage area to at least a portion of the coverage area of at least one base station in communication range of the mobile device (see col. 3, lines 33-67, col. 4, line 12- col. 5, line 12, col. 5, lines 27-67; and col. 6, lines 28-51);

determining at least one estimated time based on a function of at least the estimated location of the mobile device and the time of day as measured at the

estimated location and a current cell identification (Cell ID) parameter (=using time different arrival of a mobile signal at base station to triangulate position of device 100, see col. 4, lines 12-34) assigned to the mobile device (see col. 3, lines 33-67, col. 4, line 12- col. 5, line 12, col. 5, lines 27-67; and col. 6, lines 28-51); wherein said Cell ID is a parameter in the translation table which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station (=using time different arrival of a mobile signal at base station to triangulate position of device 100, see col. 4, lines 12-34); and

translating the determined at least one time into a wireless communication message and forwarding the message to the mobile device (see col. 4, line 38- col. 5, line 12 and col. 6, lines 28-51).

Although Rankin teaches the push of several event information to the mobile device, based on location, time information and user preference information (see col. 4, line 38- col. 5, line 12 and col. 6, lines 28-51), Rankin fails specifically to mention Azaan-neighborhood in association with “prayer times; time of year as measured from prestored annual calendar position corresponding to estimated location; and the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table”.

Hasebe, however, teaches a “prayer times; and the time of year as measured from prestored annual calendar position corresponding to estimated location; and the

translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table".

(see below of col. 1, lines 37-63; col. 3, lines 28-50; col. 9, line 10- col. 10, line 37; and col. 11, lines 20-32).

[Relationships between regional locations and religious service times are described in the form of religious service time tables, which are stored in advance in the memory of the portable terminal or which can be downloaded from a specific server via networks. Religious service times are determined based on the position information and date information (e.g., calendar data)…

In step S20, the portable telephone detects the date and year as well as the present position thereof. That is, the present position is detected based on the position information from the GPS receiver 12...

CPU 1 designates the religious service time table, which is stored in the RAM 3. Specifically, the religious service timetable contains numerous tables with regard to specific positions and dates, so that one of these tables is appropriately selected and read out in response to the position information from the GPS receiver 12 and the date information of the calendar data

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Regarding claim 23, as recited in claim 22, Rankin fails to teach Azaan-neighborhood.

Hasebe, however, teaches a portable terminal that includes GPS; and the portable terminal associates location and time with prayer times and direction (see col. 1, lines 37-63; col. 3, lines 28-50 and col. 4, lines 6-45).

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Regarding claim 24, as recited in claim 22, Rankin fails to teach Azaan-neighborhood.

Hasebe, however, teaches a portable terminal that includes GPS; and the portable terminal associates location and time with prayer times and direction (see col. 1, lines 37-63; col. 3, lines 28-50 and col. 4, lines 6-45).

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Regarding claim 25, Rankin discloses a system of notifying a mobile device (= mobile device 100) of location-dependent timings, (= location base information system that uses user location information and preference to push location information to the user, see col. 6, lines 28-65 and Fig. 4) the system comprising:

at least one base station (140) in communication with the mobile device;

a location server that determines an estimated location of the mobile device within a precision of a coverage area of that at least one base station by employing a location technology algorithm (= location determination is made from the network, see col. 4, lines 12-60; and col. 7, line 55- col. 8, line 54);

a server that runs a time calculation program application and compares the estimated location of the mobile device to a translation table stored at one or more memory locations including the mobile device and/or a remote server capable of forwarding information to the mobile device, said translation table to determine at least one time based on a function of at least the estimated location of the mobile device and the time of day as measured at the estimated location (see col. 3, lines 33-67, col. 4, line 12- col. 5, line 12, col. 5, lines 27-67; and col. 6, lines 28-51); and where the estimated location of the mobile station used to determine the at least one time has a precision of the coverage area of the at least one base station and a current cell identification (Cell ID) parameter (=using time different arrival of a mobile signal at base station to triangulate position of device 100, see col. 4, lines 12-34) assigned to the mobile device (see col. 3, lines 33-67, col. 4, line 12- col. 5, line 12, col. 5, lines 27-67; and col. 6, lines 28-51); wherein said Cell ID is a parameter in the translation table

which identifies the Cell ID as an estimated location parameter of the mobile station based on the coverage area of the base station (=using time different arrival of a mobile signal at base station to triangulate position of device 100, see col. 4, lines 12-34); and a gateway that communicates with the server and which relays the at least one time to the mobile device (see col. 4, line 1- col. 5, line 12; col. 6, lines 28-51; col. 7, line 55- col. 8, line 54 and Fig. 2).

Rankin fails specifically to mention a "prayer times; and the time of year as measured from prestored annual calendar position corresponding to estimated location; and the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table".

Hasebe, however, teaches a "prayer times" and "the time of year as measured from prestored annual calendar position corresponding to estimated location and the translation table is used to match a corresponding prayer time to the Cell ID by matching the coverage area of the base station with at least one of the time of year and the time of day which are also parameters in at least one of the translation table and a look-up table".

(see below of col. 1, lines 37-63; col. 3, lines 28-50; col. 9, line 10- col. 10, line 37; and col. 11, lines 20-32).

[Relationships between regional locations and religious service times are described in the form of religious service time tables, which are stored in advance in the memory of the portable terminal or which can be downloaded from a specific server via networks. Religious service

times are determined based on the position information and date information (e.g., calendar data)…

In step S20, the portable telephone detects the date and year as well as the present position thereof. That is, the present position is detected based on the position information from the GPS receiver 12...

CPU 1 designates the religious service time table, which is stored in the RAM 3. Specifically, the religious service timetable contains numerous tables with regard to specific positions and dates, so that one of these tables is appropriately selected and read out in response to the position information from the GPS receiver 12 and the date information of the calendar data…]

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Rankin and Hasebe are analogous art because they disclose concepts and practices regarding location-base services including GPS information in a communication system. At the time of the invention it would have been obvious to combine Hasebe into Rankin. The motivation for such combination would have been, as Hasebe suggests (see col. 3, lines 45-50), to effectively use the portable telephones by Muslims who pray, to display arrows showing the prescribed directions at the prescribed times.

Regarding claim 26, as recited in claim 25, Rankin further discloses the system, wherein the mobile device is one of: a mobile phone, location-aware wirelessly connected personal digital assistant (PDA), handheld personal computer, tablet personal computer, and a pocket personal computer (see col. 8, lines 35-62).

CONCLUSION

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. SEE MPEP 2141.02 [R-5] VI. PRIOR ART MUST BE CONSIDERED IN ITS ENTIRETY, INCLUDING DISCLOSURES THAT TEACH AWAY FROM THE CLAIMS: A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984) In re Fulton, 391 F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004). >See also MPEP §2123.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-T (9am - 7pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/KWASI KARIKARI/
Examiner, Art Unit 2617

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617